THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.25847 of 2005

Dated 27-12-2005

Between:

G.Vijay Kumar Raju and others.

.. **PETITIONERS**

AND

Government of A.P., represented by its Principal Secretary, School Education Department and others.

.. RESPONDENTS

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

ORDER

The petitioners claim that they are the Teachers of fifth respondent school working since last several years. They assert that their services have been regularized against the existing aided vacancies. Their grievance is that the District Educational Officer, the fourth respondent herein, is taking steps to transfer and post Teachers from other institutions, against the existing vacancies in the fifth respondent school.

The matter was adjourned twice on earlier occasions to enable the learned Government Pleader for School Education to obtain instructions. He contends that the services of the petitioners were not regularized at all and with the collusion of certain employees in the fifth respondent school, the petitioners have fabricated the record, particularly, the proceedings, dated 27-12-2004, to depict as though their services have been regularised.

Heard the learned counsel for the petitioners and the learned Government Pleader for School Education.

The petitioners felt aggrieved by the allotment of teachers from other institutions against the existing vacancies in the fifth respondent school. Such a measure is taken in pursuance of the process of rationalization, which is undertaken in the recent past. In several cases, this court permitted the individual candidates or the Managements of the schools, as the case may be, who felt aggrieved by such transfers, to approach the appellate authority under Section 89 of the A.P.Education Act. In the instant case, this court finds it difficult to follow the same course of action for the reason that there is some doubt as to the very status of the petitioners as Teachers working against aided vacancies. The Management would be the proper authority to take necessary steps in this regard.

For the foregoing reasons, the writ petition is disposed of, leaving it open to the petitioners to approach the Management to protect their rights. In case, the fifth

respondent is of the view that the petitioners are the Teachers appointed against aided vacancies and such appointments were approved by the competent authority, they can prefer an appeal before the Director of School Education, the second respondent herein, and seek appropriate interim orders. No order as to costs.

_____

27-12-2005

Note:

Issue C.C. in three days.

(B/o)

Prv